

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

KYLE L. FLYTE, Administratrator of the Estate of KYLE A. FLYTE, Deceased,	:	No. 19-cv-00703-EGS
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
COUNTY OF NORTHAMPTON, PRIMECARE MEDICAL, INC., KISHOR KUMAR DEDANIA, M.D., and KISHOR KUMAR DEDANIA, INDIVIDUALLY AND JOINTLY,	:	CIVIL ACTION
	:	
	:	JURY TRIAL DEMANDED
Defendants.	:	

ORDER

AND NOW, this 11 ^{TN} day of October 2019, upon consideration of the Motion for Court Approval of Wrongful Death and Survival Settlement,

IT IS ORDERED, that settlement of the above-captioned Estate's Wrongful Death and Survival Action Claims for the gross sum of Two Hundred Fifty Two Thousand Five Hundred (\$252,500.00) Dollars is approved; One Hundred Ninety Thousand (\$190,000.00) Dollars to be paid by the Defendants Primecare Medical, Inc. and Kishor Kumar Dedania, M.D., and Sixty Two Thousand Five Hundred (\$62,000.00) Dollars to be paid by the Defendant County of Northampton, to be allocated 65% to the wrongful death action and 35% to the survival action.

IT IS FURTHER ORDERED, that the settlement proceeds shall be distributed as follows:

Wrongful Death Action:

a. Counsel Fees – John R. Vivian, Jr., Esquire	\$65,650.00
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b.	Costs incurred in preparation of litigation	\$ 5,559.45
c.	Purchase of annuity on behalf of Brayden Flyte	\$30,875.00
d.	Purchase of annuity on behalf of Carson Flyte	<u>\$30,875.00</u>
TOTAL WRONGFUL DEATH ACTION:		\$132,959.45

Survival Action:

a.	Counsel Fees – John R. Vivian, Jr., Esquire	\$35,350.00
b.	Costs incurred in preparation of litigation	\$ 2,993.55
c.	Purchase of annuity on behalf of Brayden Flyte	\$16,625.00
d.	Purchase of annuity on behalf of Carson Flyte	<u>\$16,625.00</u>
TOTAL SURVIVAL ACTION:		\$71,593.55

IT IS FURTHER ORDERED, the Estate following purchase of the annuities, payment of counsel fees and costs, allocate the remaining funds in the amount of Forty Seven Thousand Nine Hundred Forty Seven (47,947.00) Dollars in the following manner:

(a)	Reimbursement of Funeral Expenses and Monument	\$ 8,326.00
(b)	Payment of Estate Counsel Fees to Bradford D. Wagner, Esquire	\$ 5,000.00
(c)	Administrative Fee to Kyle L. Flyte, Adm: TOTAL:	<u>\$10,000.00</u> \$23,326.00

IT IS FURTHER ORDERED, that the remaining funds after payment of administration, counsel fees for the Estate and reimbursement for funeral expenses in the amount of Twenty Four Thousand Six Hundred Twenty One Dollars and 00/100 (\$24,621.00) Dollars be split

equally (\$12,310.50) between the two minor heirs, Brayden Flyte and Carson Flyte, and placed in an interest bearing account established in the name of the minor. Said account will be opened at Fulton Bank, 1309 Blue Valley Drive, Bangor, Pennsylvania, said deposit being insured by a Federal Government Agency and said account is restricted and marked as follows:

"Not to be redeemed except for renewal in its entirety, nor to be withdrawn, signed and negotiated or otherwise alienated except upon further Order of this Court."

The clerk of court shall mark this case
as closed.

BY THE COURT,



EDWARD G. SMITH, JUDGE